

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**JULIA LEIB and LISA THOMPSON,
individually, and on behalf of all persons
similarly situated,**

Plaintiffs,

v.

**REX ENERGY OPERATING CORP., a
Delaware corporation, and PENNTEX
RESOURCES ILLINOIS, INC., a Delaware
corporation,**

Defendants.

Case No. 06 CV 802-JPG-CJP

ORDER

PROUD, Magistrate Judge:

Gary K. Tussey, d/b/a Tussey Oil Exploration & Producer is before the Court seeking to quash a subpoena issued on behalf of the plaintiffs. **(Doc. 57)**. A review of the record reveals that Tussey has filed an amended motion to quash **(Doc. 58)**.

IT IS THEREFORE ORDERED that Tussey's initial motion **(Doc. 57)** is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATED: July 24, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE